

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**KENNETH SCOTT MCKEE, et al.,**

**Defendants.**

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**Case No. 18-CR-05043-01/03-MDH**

**ORDER**

Before the Court are Defendants' Joint Motions to Dismiss (Docs. 53-59) and Defendant McKee's Motion to Suppress Statement (Doc. 52). Pursuant to 28 U.S.C. § 636(b) and Rule 72.1 of the Local Rules of Procedure of the United States District Court for the Western District of Missouri the motions were referred to the United States Magistrate Judge for preliminary review. The Magistrate has completed his review and submitted his Report & Recommendation to the undersigned. (Doc. 93). The parties have filed their exceptions and responses to the Report & Recommendation and the matter is now ripe for review.

The Court has conducted an independent review of the record, including the hearing transcript, the parties' briefing and the applicable law. Upon careful and independent review of the pending motions, the Court **ADOPTS** the Magistrate's Report & Recommendation. The Court hereby **GRANTS** Defendants' Joint Motion to Dismiss the Second Superseding Indictment for Lack of Admiralty Jurisdiction (Doc. 54). The Second Superseding Indictment is dismissed in its entirety. The Court further **DENIES AS MOOT** the remaining pending motions (Docs. 52-53, 55-59). Finally, the Court **ORDERS** that the Magistrate's Report & Recommendation be attached to and made a part of this Order

**IT IS SO ORDERED.**

DATED: December 3, 2020

*/s/ Douglas Harpool* \_\_\_\_\_

**DOUGLAS HARPOOL**

**UNITED STATES DISTRICT JUDGE**